APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,873	11/08/2001	John Lin	BP 1908	5341

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EXAMINER
FOX, JAMAL A

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/008,873	LIN ET AL.
	Examiner	Art Unit	
	Jamal A. Fox	2664	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 November 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>18-25</u> is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____, are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>08 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
                                                      Paper No(s)/Mail Date. _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
   Paper No(s)/Mail Date _____ .   6)☐ Other: _____ .

DETAILED ACTION

Specification

1.　　Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2.　　The abstract of the disclosure is objected to because it is not within the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.　　Claims 1-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Haartsen (U.S. Patent Application Pub. No. 2002/0167961).

Referring to claim 1, Haartsen discloses a wireless transceiver (transceiver, [0037]) device, comprising: memory (memory, [0033] & [0089]) for storing synchronous

(synchronous, [0010] & [0035]) and non-synchronous (non-synchronous, page 11, claim

14 line 3) data; and

circuitry defining logic (logic, [0033]) for determining whether transmission of non-

synchronous data packets may be initiated without conflicting with a packet of

synchronous data that is to be transmitted in the future.

Referring to claim 2, Haartsen discloses the wireless transceiver of claim 1

wherein the circuitry further defines logic (logic, [0033]) that generates a bit string whose

logic (logic, [0033]) states define whether, for a given time slot, (time slot, [0034] &

[0047], [0048], [0050], [0055], [0060] & [0080]) synchronous (synchronous, [0010] &

[0035]) event is to be transmitted.

Referring to claim 3, Haartsen discloses the wireless transceiver of claim 1,

wherein the synchronous data comprises continuous bit rate data (peak data rate,

[0006]).

Referring to claim 4, Haartsen discloses the wireless transceiver of claim 3,

wherein the continuous bit rate data comprises one of video or voice data (data and

voice, [0009]).

Referring to claim 5, Haartsen discloses the wireless transceiver of claim 1,

wherein the circuitry further defines logic that evaluates a time value with respect to a bit

stream modulo (modulo, [0059]) to determine what bit in the bit stream corresponds to

the present time.

Referring to claim 6, Haartsen discloses a method for determining whether to initiate non-synchronous (non-synchronous, page 11, claim 14 line 3) event transmission, comprising:

determining whether a synchronous (synchronous, [0010] & [0035]) event is scheduled for transmission during the present defined time period; and

if not, determining whether to initiated (initialized, [0034]) the transmission of a non-synchronous (non-synchronous, page 11, claim 14 line 3) event.

Referring to claim 7, Haartsen discloses the method of claim 6 wherein a synchronous event comprises transmitting continuous bit rate data (peak data rate, [0006]).

Referring to claim 8, Haartsen discloses the method of claim 6 wherein a synchronous event comprises transmitting voice data (data and voice, [0009]).

Referring to claim 9, Haartsen discloses the method of claim 6 wherein a synchronous event comprises transmitting video data (data, voice, and video, [0003]).

Referring to claim 10, Haartsen discloses the method of claim 6 wherein the step of determining whether to transmit non-synchronous data includes determining how many defined periods of time (time slot, [0034] & [0047], [0048], [0050], [0055], [0060] & [0080]) are required for transmitting non-synchronous data.

Referring to claim 11, Haartsen discloses the method of claim 10 further including the step of determining whether a collision (collision, [0010]) between a synchronous (synchronous, [0010]) and non-synchronous (non-synchronous, page 11, claim 14 line 3) transmission could occur.

Referring to claim 12, Haartsen discloses the method of claim 11 wherein the step of determining whether a collision (collision, [0010]) could occur includes determining whether there exists a sufficient number of defined periods for which no synchronized events are scheduled for transmission (transmit, [0010]) following the present period to enable the initiation of transmitting (transmit, [0010]) the present non-synchronous event without a likelihood of a collision (collision, [0010]).

Referring to claim 13, Haartsen discloses the method of claim 6 wherein the step of determining whether a synchronous event is schedule comprises dividing the present time by a modulo (modulo, [0059]) number which module number reflects the length of a bit stream in which each bit of the bit stream represents a time period for transmitting synchronized and unsynchronized events.

Referring to claim 14, Haartsen discloses the method of claim 13 wherein a remainder (remainder, [0056] & [0085]) is determined during the dividing step is evaluated to determine a group of bits of the bit stream that include a bit that represents the present time period.

Referring to claim 15, Haartsen discloses the method of claim 13 wherein a remainder (remainder, [0056] & [0085]) is determined during the dividing step is evaluated to determine which bit of the stream of bits represents the present time period.

Referring to claim 16, Haartsen discloses the method of claim 15 further including the step of determining the length (number of time periods) (time slot, [0034] &

[0047], [0048], [0050], [0055], [0060] & [0080]) of a non-synchronized event that is to be transmitted.

Referring to claim 17, Haartsen discloses the method of claim 16 further including the step of determining whether a synchronized (synchronous, [0010] & [0035]) event is scheduled for transmission during the time period that would be utilized for transmitting the non-synchronous (non-synchronous, page 11, claim 14 line 3) event if the non-synchronous (non-synchronous, page 11, claim 14 line 3) event were to be initiated (initialized, [0034]) in the present time period.

Allowable Subject Matter

5.   Claims 18-25 are allowed.

Conclusion

6.   **Any response to this action should be mailed to:**

> Commissioner of Patents and Trademarks
> Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to 2600 Customer Service whose telephone number is

(571) 272-2600.

Jamal A. Fox

WELLINGTON CHIN
ERVISORY PATENT EXAMINER